

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 ARLO KRISTIAN McGOVERN,

Case No. 2:19-cv-01977-RFB-EJY

4 Plaintiff

ORDER

5 v.

6 WILSON, *et al.*,

7 Defendants.  
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections  
11 (“NDOC”), has submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff  
12 has neither paid the full filing fee for this matter nor filed an application to proceed *in forma*  
13 *pauperis*.

14 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
15 application to proceed *in forma pauperis* and attach both an inmate account statement for the past  
16 six months and a properly executed financial certificate. The Court will retain Plaintiff’s civil rights  
17 complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is  
18 resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*,  
19 or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application  
20 to proceed in forma pauperis he must file a fully complete application including both an inmate  
21 account statement for the past six months and a properly executed financial certificate.

22 **II. CONCLUSION**

23 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND Plaintiff  
24 the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document  
25 entitled information and instructions for filing an *in forma pauperis* application.

26 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
27 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct  
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1 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the  
2 full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative  
3 fee).

4 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
5 dismissal of this action may result.

6 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No.  
7 1-1) but will not file it at this time.

8 DATED this 18th day of November, 2019.

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11 UNITED STATES MAGISTRATE JUDGE  
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